

Whereas, President Eisenhower should be congratulated for the excellent choice he made in appointing Oveta Culp Hobby as Federal Security Administrator of the United States; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that President Dwight D. Eisenhower be extended the sincere congratulations of the Legislature of the State of Texas for the exceedingly good judgment he displayed in appointing as Federal Security Administrator one of the most distinguished citizens of the State of Texas; and, be it further

Resolved, That the Legislature of the State of Texas extend to Oveta Culp Hobby its sincere congratulations on such appointment and express its appreciation to her for the continuance of her unselfish devotion to public duty; and, be it further

Resolved, That copies of this resolution be sent to President Eisenhower and Mrs. Hobby.

BRACEWELL

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Parkhouse, Phillips, Rogers of Childress, Rogers of Travis, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Phillips the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

On motion of Senator Bracewell and by unanimous consent, the resolution was considered immediately and was adopted.

Resolutions Signed

The President announced the signing of, in the presence of the Senate after the captions had been read, the following enrolled resolutions:

H. C. R. No. 2, Relative to the salary of the members of the Regular Session of the Fifty-third Legislature.

H. C. R. No. 6, Extending to President-elect Eisenhower felicitations and best wishes.

H. C. R. No. 8, Relative to payment

of certain expenses incurred for inauguration ceremonies.

H. C. R. No. 11, Commending the Midwestern Indian Band of Wichita Falls, Texas.

H. C. R. No. 3, Relative to the March of Dimes Drive.

H. C. R. No. 7, Adopting the Joint Rules of the House of Representatives and Senate.

H. C. R. No. 9, Relative to closing the Capitol Grounds on January 20th.

H. C. R. No. 12, Congratulating the Honorable Dwight D. Eisenhower, President of the United States, upon his selection of the Honorable Robert Bernerd Anderson as Secretary of the Navy.

(President pro tempore in Chair.)

Message From Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
January 26, 1953.

To the Senate of the Fifty-third Legislature:

I ask the advice, consent and confirmation of the Senate in regard to the following appointment:

To be District Attorney of the Fifty-first Judicial District to fill the unexpired term of Aubrey Stokes, resigned: Justin A. Kever of San Angelo, Tom Green County.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Adjournment

On motion of Senator Hardeman the Senate, at 11:22 o'clock a. m., adjourned until 10:30 o'clock a. m. tomorrow.

SEVENTH DAY

(Tuesday, January 27, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin
Ashley

Bracewell
Colson

Corbin	Phillips
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Secrest
Lock	Shireman
Martin	Strauss
McDonald	Wagon seller
Moffett	Weinert
Parkhouse	Willis

Absent—Excused

Bell	Moore
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A quorum was announced present.

The invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, by every right that is known to man, we are thine. Thou hast made us; redeemed us, and by thy Providential care, patience and power, we are living monuments of thy grace. Deeply impress on our minds that we belong to thee, and help us to be more like thee. For Christ's sake. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Bell was granted leave of absence for today on account of illness on motion of Senator Strauss.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Wagon seller.

Address by Mr. Cal Farley

Pursuant to the provisions of Senate Resolution No. 6 adopted on January 14, 1953, Senator Hazlewood announced that Mr. Farley was in the Senate Chamber. The President appointed Senators Hazlewood, Bracewell and Latimer to escort Mr. Farley to the President's stand. The President introduced Senator Hazlewood and he presented Mr. Farley to the Senate. Mr. Farley addressed the Senate explaining Boys Ranch, its purpose, accomplishments and program.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
January 26, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 6, A bill to be entitled "An Act validating, ratifying, approving, and confirming certain proceedings and bonds heretofore voted by incorporated cities or towns, etc., and declaring an emergency."

H. C. R. No. 13, In memory of the Honorable Robert Herman Alexander.

H. C. R. No. 14, Memorializing Congress to retire immediately from the field of motor fuel taxation, and calling upon the Governor of Texas to continue to work for the accomplishment of this objective.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives

House Concurrent Resolution 13

The President laid the following resolution before the Senate:

H. C. R. No. 13, In memory of the Honorable Robert H. Alexander.

The resolution was read.

On motion of Senator Strauss and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

(President pro tempore in Chair.)

Senate Resolution 26

Senator Colson offered the following resolution:

Whereas, We are honored to have with us today Miss Concepcion Baradi of the Philippine Islands, accompanied by Mrs. Edna T. Anderson, Miss Dorothy McGlamery, and Mrs. Martin Kermacy, who are the Executive Director, Teen-Age Program Director and President of the Board of Directors of the Austin Young Women's Christian Association, respectively; and

Whereas, Miss Baradi is one of the twenty native YWCA leaders from Europe, Asia and Africa, whose out-

standing work has qualified her to participate in the nine months' international training project of the National YWCA's foreign division, which is being sponsored by the Ford Foundation; and

Whereas, In addition to the training in the YWCA field, this program calls for Miss Baradi's observation of our democracy at work; and

Whereas, She has expressed a very deep interest in the operation of our State Government; now, therefore, be it

Resolved, That Miss Baradi be officially welcomed to Texas and the State Senate; that these distinguished ladies be recognized and extended the courtesies of the floor for the day; and that a copy of this Resolution be presented to them.

The resolution was read and was adopted.

Senator Colson presented Miss Baradi, Mrs. Anderson, Miss McGlamery and Mrs. Kermacy to the members of the Senate.

Senate Resolution 27

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery Dr. Henry B. Hardt, President of Texas Basic Science Board and T. C. U.'s Representative on the Southwest Conference.

Dr. Hardt is an outstanding educator and public servant; now, therefore, be it

Resolved, That we officially recognize and welcome Dr. Hardt and commend him for his interest and public service and that he be extended the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Ashley presented Dr. Henry B. Hardt to the Members of the Senate.

Senate Resolution 28

Senator Corbin offered the following resolution:

Whereas, The Lynn County Sheriff's Posse of Tahoka, Texas, participated in the Inauguration Parade at the inauguration of Governor Allan Shivers and Lieutenant Governor Ben Ramsey,

held in the City of Austin on Tuesday, January 20, 1953; and

Whereas, The Lynn County Sheriff's Posse is a civic organization composed of outstanding citizens of Lynn County, Texas, which organization of some thirty-five mounted possemen, added materially to the inaugural parade and related events; now, therefore, be it

Resolved, By the Senate of Texas, that this organization be heartily commended for their above-mentioned participation in the inauguration and that copies of this resolution be forwarded to Sheriff Norvell Redwine of Tahoka, Texas, for distribution to the various members of the organization.

The resolution was read and was adopted.

Senate Resolution 29

Senator Russell offered the following resolution:

Whereas, The Honorable Joe Carter, a former member of the Senate, is visiting in the Capitol today; and

Whereas, It is the desire of the Senate to recognize his presence and to extend him the courtesies of the floor today; now, therefore, be it

Resolved, By the Senate of Texas, that Honorable Joe Carter be and he is hereby extended the courtesies of the floor today.

The resolution was read and was adopted.

Senator Russell presented the Honorable Joe Carter, former Member, to the Members of the Senate.

Senate Resolution 30

Senator Shireman offered the following resolution:

Whereas, On the seventeenth of January, 1953, the Junior Chamber of Commerce of Houston, Texas, did honor our distinguished colleague, the Honorable Searcy Bracewell, by designating him as the Outstanding Young Man of 1952 in Houston, Texas, and bestowed upon our said colleague, the Junior Chamber Distinguished Service Award as sponsored throughout the nation by the United States Junior Chamber of Commerce; and,

Whereas, The service rendered by our distinguished colleague to his community and State reflects credit upon the Senate of Texas, and each of us is fortunate to be associated with a young man of the ability, in-

tegrity and capacity for work as our distinguished colleague, the Honorable Searcy Bracewell; now, therefore, be it

Resolved, That the membership of the Senate of the Fifty-third Legislature extend to Honorable Searcy Bracewell their best wishes, congratulations and commendations upon his signal honor of being named the Outstanding Young Man of 1952 in Houston.

The resolution was read and was adopted.

Senate Resolution 31

Senator Wagonseller offered the following resolution:

Whereas, We are honored today to have on the floor of the Senate Mr. and Mrs. Riddelle Gregory of Kansas City, Mo., and

Whereas, Mr. Gregory is a very outstanding businessman of that city; now, therefore, be it

Resolved, That Mr. and Mrs. Gregory be officially recognized by the Senate, and that they be extended the privileges of the floor of the Senate for the remainder of the day.

The resolution was read and was adopted.

Senator Wagonseller presented Mr. and Mrs. Gregory to the Senate.

Reports of Standing Committees

Senator Lane submitted the following report:

Austin, Texas,
January 27, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 34, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman

Senator Weinert submitted the following reports:

Austin, Texas,
January 26, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. C. R. No. 5, have had the same under consideration, and we are instructed to

report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman

Austin, Texas,
January 26, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 32, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman

Senator Aikin submitted the following report:

Austin, Texas,
January 26, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 70, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

By Senator Corbin:

S. B. No. 71, A bill to be entitled "An Act amending Article 3888, Revised Civil Statutes of Texas, 1925, as amended by Senate Bill 108, Acts of the 52nd Legislature, Chapter 200, page 329, so as to provide that the compensation paid the County Judges acting as Superintendents of Public Instruction by the County Board of School Trustees shall be received and retained by the County Judges in addition to all other compensation provided by law; providing that this Act shall become operative on the first day of the month immediately succeeding its effective date; providing that this Act shall be cumulative; and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Fuller:

S. B. No. 72, A bill to be entitled

"An Act amending Chapter 163, Acts of the 42nd Legislature, Regular Session, 1931, as amended, to specifically authorize cities and counties to enter into lump sum or unit price contracts and to make certain changes in the work to be performed or materials, equipment and supplies to be furnished under public contracts; validating, ratifying, confirming and approving certain contracts, scrip warrants and time warrants authorized by counties or cities since the approval by the Governor of Texas of Chapter 164, Acts of the 52nd Legislature, Regular Session, 1951; validating, ratifying, confirming and approving refunding bonds issued for the purpose of refunding time warrants and all proceedings relating to the issuance of refunding bonds for such purposes; providing that this Act shall not apply to any contract, scrip warrant or time warrant or to any refunding bond proceedings, ordinances, resolutions or other instruments, or bonds executed or issued by any county with a population in excess of three hundred thousand (300,000) according to the last preceding Federal Census, or any contract, scrip warrant or time warrant or any refunding bond proceedings, ordinances, resolutions or other instruments, or bonds the validity of which is now involved in litigation; providing a severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Willis:

S. B. No. 73, A bill to be entitled "An Act providing for and fixing the salaries of firemen and policemen in all cities having a population of ten thousand (10,000) or more inhabitants; providing for establishment of classifications by municipal governments affected by this Act; providing penalties for violations of the provisions of this Act; providing a saving clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator McDonald:

S. B. No. 74, A bill to be entitled "An Act amending Article 128 of Vernon's Texas Statutes; providing a saving clause; and declaring an emergency."

To the Committee on Agricultural Affairs.

By Senator McDonald:

S. B. No. 75, A bill to be entitled

"An Act amending Article 1700 of the Texas Criminal Statutes, providing a saving clause; and declaring an emergency."

To the Committee on Criminal Jurisprudence.

By Senator McDonald:

S. B. No. 76, A bill to be entitled "An Act amending Article 1693 of Texas Criminal Statutes, providing a saving clause; and declaring an emergency."

To the Committee on Criminal Jurisprudence.

By Senator Hazlewood:

S. B. No. 77, A bill to be entitled "An Act repealing Articles 601 and 602, R.C.S. of Texas of 1925, thereby abolishing the present Board of Control and enacting a new Article 601, creating a new Board of Control; providing for a chairman; granting such new Board all the powers, duties and responsibilities of the old Board as well as certain additional powers; providing for the employment of a Director; providing that the Board may delegate powers to such Director; providing for the giving of bonds by the Board Members and by the Directors; providing for the removal of such Director; repealing laws in conflict herewith; providing that this Act shall be effective September 1, 1953; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hazlewood:

S. B. No. 78, A bill to be entitled "An Act amending Section 1 of Chapter 442, Acts of the 44th Legislature, Second Called Session, as amended, fixing the salary of district attorneys; amending Section 1a of Chapter 67, Acts of the 51st Legislature, Regular Session, fixing the salary of State's Attorney; making an appropriation; declaring the effect of other Acts supplementing salaries for the remainder of the fiscal year ending August 31, 1953; repealing conflicting laws; and declaring an emergency."

To the Committee on State Affairs.

By Senator Aikin:

S. J. R. No. 6, Proposing an Amendment to the Constitution of Texas by adding to Article XVI thereof a new section, to be numbered 63; providing for crediting to members of either the Teacher Retirement System or the Employees Retirement System of Tex-

as all services rendered, as either a teacher, or person employed in the public schools, colleges, and universities of the State, or as an appointive officer or employee of the State, for retirement benefits under either of said Systems.

To the Committee on Constitutional Amendments.

By Senators Willis, Rogers of Childress and Russell:

S. J. R. No. 7, Proposing an amendment to the Constitution of the State of Texas amending Article III, Section 51a, providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to actual bona fide citizens of Texas who are needy aged persons over the age of sixty-five (65) years, needy blind persons over the age of twenty-one (21) years, and needy children under the age of sixteen (16) years; providing for the acceptance of financial aid from the Government of the United States for such assistance; providing that the payments of such assistance from State funds shall never exceed either the payments from Federal funds or a total of more than Forty-two Million (\$42,000,000) Dollars per year; providing for the necessary election, form of ballot, proclamation, and publication, and making an appropriation to defray the necessary expenses of proclamation, publication, and holding the election.

To the Committee on Constitutional Amendments.

House Concurrent Resolution 14

The President pro tempore laid before the Senate and directed the Secretary to read the following resolution:

H. C. R. No. 14, Memorializing Congress relative to motor fuel taxation.

The resolution was read.

On motion of Senator Rogers of Travis and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill No. 28 on Second Reading

Senator Parkhouse moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 28 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
McDonald	Weinert

Nays—1

Martin

Present—Not Voting

Willis

Absent—Excused

Bell

Moore

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 28, A bill to be entitled "An Act to amend the Policemen's, Firemen's, and Fire Alarm Operators' Pension Fund and Benefit Acts to apply only to all those certain cities of this State which come within and are now within the provisions of Senate Bill No. 128, Acts 1951, 52nd Legislature, Regular Session, Chapter 173, page 292, Section 1, which said Act applies to all cities and towns which operate a separate Firemen, Policemen and Fire Alarm Operators Pension system and containing four hundred and thirty-two thousand (432,000) or more inhabitants, according to the last preceding Federal Census, having a fully or partially paid Fire Department, Police Department, and Fire Alarm Operators Department, etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 28 on Third Reading

Senator Parkhouse moved that the constitutional rule requiring bills to be read on three several days and Senate Rule No. 32 be suspended and that S. B. No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Parkhouse
Ashley	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
McDonald	Willis

Nays—1

Martin

Absent

Moffett

Absent—Excused

Bell

Moore

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moffett
Ashley	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
McDonald	Weinert

Nays—2

Martin

Willis

Absent—Excused

Bell

Moore

Executive Session

On motion of Senator Bracewell, and by unanimous consent, the Senate agreed to hold an executive session at 11:31 o'clock a. m. today.

Accordingly, the President pro tempore directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be District Attorney of the Fifty-first Judicial District: To fill the unexpired term of Aubrey Stokes, resigned, Justin A. Kever of San Angelo, Tom Green County.

In Legislative Session

The President pro tempore called the Senate to order as in Legislative Session at 11:38 o'clock a. m.

Senate Resolution 32

Senator Aikin offered the following resolution:

Whereas, Honorable Boyd Kelley, of Wichita Falls, is a visitor at the Capitol today; and

Whereas, Mr. Kelley is an outstanding citizen of Texas and the Senate is delighted to have him as our guest today; now, therefore, be it

Resolved, That Mr. Kelley be extended the privileges of the floor for today.

**AIKIN
MOFFETT**

The resolution was read and was adopted.

Bill Signed

The President pro tempore signed in the presence of the Senate, after the caption had been read, the following enrolled bill:

S. B. No. 6, A bill to be entitled "An Act validating, ratifying, approving, and confirming certain proceedings and bonds heretofore voted by incorporated cities or towns; etc.; and declaring an emergency."

Adjournment

On motion of Senator Hardeman, the Senate at 11:40 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

In Memory of
Mrs. Leon D. Williams

Senator Rogers of Travis offered the following resolution:

(Senate Resolution 25)

Whereas, News has reached the Senate of the death of Mrs. Leon D. Williams, the wife of Mr. Leon D. Williams, whose daughter, Mrs. Maxine Bakke, is employed in the Engrossing and Enrolling Department of the Texas Senate; and

Whereas, The loss of this splendid woman will be most keenly felt by her family and many friends; and

Whereas, Her death is a tragedy to the entire community in which she lived, and to the many others who knew and loved her; and

Whereas, We, the members of the Senate, desire Mrs. Bakke to know that we are with her in spirit and in sympathy for her grief; now, therefore, be it

Resolved, By the Senate of Texas, that the family be extended our sincerest sympathy, with the hope that our recognition of this great loss may, in some measure, lighten the burden of their bereavement; and, be it further

Resolved, That a page of the Senate Journal of today be dedicated to the memory of Mrs. Leon D. Williams; that when the Senate adjourns today, it do so in her honor; and that copies of this resolution be sent to the surviving members of her family.

ROGERS of Travis

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Parkhouse, Phillips, Rogers of Childress, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Rogers of Travis, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.